

ZFW

Docket No.: 043888-0267

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	:	Customer Number: 20277
Tsutomu OHZUKU, et al.	:	Confirmation Number: 9492
Application No.: 10/629,815	:	Group Art Unit: 1745
Filed: July 30, 2003	:	Examiner: not yet assigned

For: POSITIVE ELECTRODE ACTIVE MATERIAL AND NON-AQUEOUS ELECTROLYTE  
SECONDARY BATTERY CONTAINING THE SAME

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop IDS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached form PTO-1449. It is respectfully requested that the documents be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

It is noted that the Applicants wish to bring to the attention of the U.S. Patent and Trademark Office that the Information Disclosure Statement and its form PTO 1449, which was previously submitted on July 18, 2005 had typographical error on the PTO 1449 form. Accordingly, please substitute the attached corrected PTO 1449 form for the PTO 1449 form that was filed on July 18, 2005. A copy of the PTO 1449 form filed on July 18, 2005, in which the changes to the new PTO-1449 form are highlight, it attached

10/629,815

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

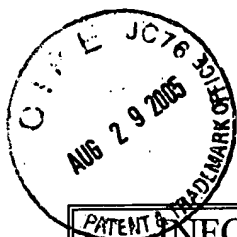
Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Michael E. Fogarty  
Registration No. 36,139

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
Phone: 202.756.8000 MEF:jgh  
Facsimile: 202.756.8087  
**Date: August 29, 2005**

**Please recognize our Customer No. 20277  
as our correspondence address.**

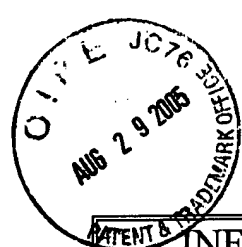


SHEET 1 OF 1

INFORMATION DISCLOSURE CITATION IN AN APPLICATION				ATTY. DOCKET NO. <b>043888-0267</b>	SERIAL NO. <b>10/629,815</b>	
(PTO-1449)				APPLICANT <b>Tsutomu OHZUKU, et al.</b>		
				FILING DATE <b>July 30, 2003</b>	GROUP <b>1745</b>	
U.S. PATENT DOCUMENTS						
EXAMINER'S INITIALS	CITE NO.	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		US 5,160,712	11/03/1992	Thackeray et al.		
FOREIGN PATENT DOCUMENTS						
EXAMINER'S INITIALS	CITE NO.	Foreign Patent Document Country Codes-Number 4- Kind Codes (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Figures Appear	Translation Yes No
		JP 10-310433	11/24/1998	ISE KAGAKU KOGYO KK		JAPAN (w/ English Abstract)
		JP 05-242891	09/21/1993	SANYO ELECTRIC CO LTD	Corresponds to JP 3244314	English Abstract Only
		JP 06-072708	03/15/1994	TECHNOL FINANCE CORP PTY LTD	Counterpart of USP 5,160,712	JAPAN (w/ English Abstract)
		JP 2547992	10/30/1996	-----	Corresponds to JP 63-121258 English abstract	English Abstract
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
EXAMINER'S INITIALS	CITE NO.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				
		Ohzuku, T. et al., "Electrochemistry and Structural Chemistry of LiNiO <sub>2</sub> (R3m) for 4 Volt Secondary Lithium Cells" J. Electrochem. Soc., July 1993, Vol. 140, No. 7 pp. 1862-1870.				
		Spahr, M. et al. "Characterization of Layered Lithium Nickel Manganese Oxides Synthesized by a Novel Oxidative Coprecipitation Method and Their Electrochemical Performance as Lithium Insertion Electrode Materials" J. Electrochem. Soc., April 1998, Vol. 145, No. 4, pp. 1113-1120.				
		Kanno, R. et al., "Structure and Physical Properties in Cathode Materials for Lithium Secondary cells -Lithium Nickel Oxides and Lithium Manganese Oxides" Department of Chemistry, Faculty of Science, Kobe University, announced on December 7, 1998, pp. 85-95.(Partial translation attached)				
		Arai, H. et al., "Electrochemical and Thermal Behavior of LiNi <sub>1-x</sub> M <sub>x</sub> O <sub>2</sub> (M = Co, Mn, Ti)" J. Electrochem. Soc., September 1997, Vol 144, No. 9, pp. 3117-3125.				
		B.J. Neudecker et al., "Lithium Manganese Nickel Oxides Li <sub>x</sub> (Mn <sub>y</sub> Ni <sub>1-y</sub> ) <sub>2-x</sub> O <sub>2</sub> ", J. Electrochem. Soc., Vol. 145, No. 12, December 1998, pp4148-4159				
		E. Rossen et al., "Structure and electrochemistry of Li <sub>x</sub> Mn <sub>y</sub> Ni <sub>1-y</sub> O <sub>2</sub> ", Solid State Ionics 57(1992) pp311-318				
EXAMINER			DATE CONSIDERED			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.



SHEET 1 OF 1

INFORMATION DISCLOSURE CITATION IN AN APPLICATION  (PTO-1449)				ATTY. DOCKET NO. <b>043888-0267</b>	SERIAL NO. <b>10/629,815</b>	
				APPLICANT <b>Tsutomu OHZUKU, et al.</b>		
				FILING DATE <b>July 30, 2003</b>	GROUP <b>1745</b>	
<b>U.S. PATENT DOCUMENTS</b>						
EXAMINER'S INITIALS	CITE NO.	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		US 5,160,712	11/03/1992	Thackeray et al.		
<b>FOREIGN PATENT DOCUMENTS</b>						
EXAMINER'S INITIALS	CITE NO.	Foreign Patent Document Country Codes -Number 4 - Kind Codes (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Figures Appear	Translation Yes No
		JP 10-310433	11/24/1998	ISE KAGAKU KOGYO KK		JAPAN (w/ English Abstract)
		JP 05-242891	09/21/1993	SANYO ELECTRIC CO LTD	Corresponds to JP 3244314	English Abstract Only
		JP 06-072708	03/15/1994	TECHNOL FINANCE CORP PTY LTD	Counterpart of USP 5,160,712	JAPAN (w/ English Abstract)
		JP 2547992	10/30/1996	-----	Corresponds to JP 63-121258	English Abstract
<b>OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)</b>						
EXAMINER'S INITIALS	CITE NO.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				
		Ohzuku, T. et al., "Electrochemistry and Structural Chemistry of $\text{LiNiO}_2$ (R3m) for 4 Volt Secondary Lithium Cells" J. Electrochem. Soc., July 1993, Vol. 140, No. 7 pp. 1862-1870.				
		Spahr, M. et al. "Characterization of Layered Lithium Nickel Manganese Oxides Synthesized by a Novel Oxidative Coprecipitation Method and Their Electrochemical Performance as Lithium Insertion Electrode Materials" J. Electrochem. Soc., April 1998, Vol. 145, No. 4, pp. 1113-1120.				
		Kanno, R. et al., "Structure and Physical Properties in Cathode Materials for Lithium Secondary cells -Lithium Nickel Oxides and Lithium Manganese Oxides" Department of Chemistry, Faculty of Science, Kobe University, announced on December 7, 1998, pp. 85-95.(Partial translation attached)				
		Arai, H. et al., "Electrochemical and Thermal Behavior of $\text{LiNi}_{1-x}\text{M}_x\text{O}_2$ (M = Co, Mn, Ti)" J. Electrochem. Soc., September 1997, Vol 144, No. 9, pp. 3117-3125.				
		B.J. Neudecker et al., "Lithium Manganese Nickel Oxides $\text{Li}_x(\text{Mn}_y\text{Ni}_{1-y})_{2-x}\text{O}_2$ ", J. Electrochem. Soc., Vol. 145, No. 12, December 1998, pp4148-4159				
		E. Rossen et al., "Structure and electrochemistry of $\text{Li}_x\text{Mn}_y\text{Ni}_{1-y}\text{O}_2$ ", Solid State Ionics 57(1992) pp311-318				
EXAMINER		DATE CONSIDERED				

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.